

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wayne L. Ryan

Serial No.: 09/378,608

Group Art Unit: 1743

Filed: August 20, 1999

Examiner: J. McNeil

For: HEMATOLOGY CONTROL AND SYSTEM FOR MULTI-
PARAMETER HEMATOLOGY MEASUREMENTS

Attorney Docket No.: 1003-009

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11-29-00

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being sent via facsimile to Examiner J. McNeil at (202) 303-3599 on this 3rd day of November, 2000.

703-872-9648

Shelley R. Lela

TERMINAL DISCLAIMER

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

1. Streck Laboratories, Inc., the assignee of record of the present application, as well as of U.S. Serial No. 09/504,816, filed February 16, 2000 through its attorney, hereby disclaims and dedicates to the public the term of any patent which issues from the present application which extends beyond the expiration date of any patent which issues from co-pending application U.S. Serial No. 09/504,816.
2. Streck Laboratories, Inc., through its attorney, further agrees and acknowledges that any patent granted on the present application shall be enforceable only for and during the period that said patent is commonly owned with said co-pending application U.S. Serial No. 09/504,816. This agreement runs with any patent granted on the instant application and is binding upon the grantor, its successor or assignees.
3. In making the above disclaimer, Streck Laboratories, Inc., through its attorney, does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Serial No. 09/504,816 in the event that it: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed

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under 37 CFR 1.321(b), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title above.

Respectfully submitted,

Dated: Nov. 3, 2000



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